

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Herman Lee Coley III

Docket No. 5:14-CR-75-3H

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Herman Lee Coley III, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute 100 Grams or More of Heroin, 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(B), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 13, 2015, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 4 years.

Herman Lee Coley III was released from custody on February 2, 2018, at which time the term of supervised release commenced.

On July 24, 2018, a Violation Report was submitted notifying the court of the defendant's July 19, 2018, arrest for the offense of Misdemeanor Assault on a Female (18CR51673) in Edgecombe County, North Carolina. The court agreed to continue supervision pending the acquisition of additional information regarding the arrest.

On August 3, 2018, a Violation Report was submitted providing the court with an update to the previously noted Misdemeanor Assault on a Female (18CR51673) offense. Based upon the information derived from the investigation, it was recommended that supervision be continued pending disposition. The offense was subsequently dismissed on November 15, 2018.

On March 26, 2019, a Violation Report was submitted after the defendant admitted to and subsequently, tested positive for marijuana use on March 6, 2019. The court agreed to continue supervision, and the defendant was enrolled in substance abuse treatment with increased drug testing.

On May 13, 2019, a Violation Report was submitted after the defendant tested positive for codeine, hydromorphone, and morphine use. The court agreed to continue supervision, and the defendant was enrolled in intensive outpatient substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On June 3, 2019, the defendant admitted to the illegal use of Dilaudid (hydromorphone), an opioid pain medication, for which he does not have a valid prescription. The defendant signed an admission of drug use statement for this violation, and he received a verbal reprimand. In response, the defendant will remain in substance abuse treatment at Straight Walk Family Services, and it is recommended that he adhere to a curfew, with electronic monitoring, for a period of 60 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

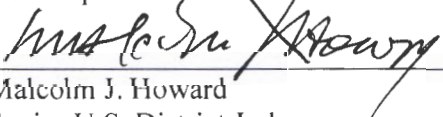
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: June 14, 2019

ORDER OF THE COURT

Considered and ordered this 18th day of June, 2019, and ordered filed and
made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge